

ASSIGNED

Serial No. 39090

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 21 1979

Returned to applicant for correction.

Corrected application filed. Map filed SEP 21 1979

The applicant. Everett J. and Jean E. Phelps c/o Boyack Surveying, Inc.

515 South Fifth Street of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion of 2.7 cfs

of water heretofore appropriated under application No. 29557

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is. underground well
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed. 2.7 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for. Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T23N, R54E, MDB&M
at a point from which the SW corner of said section 20 bears S 44°
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
40' 30" W 1850.00 feet.
stated.

6. The existing point of diversion is located within. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T23N, R54E, MDB&M,
at a point from which the SE corner of section 32, T23N, R54E, MDB&M
If point of diversion is not changed, do not answer.
bears S 2° 06' 00" E 10661.9 feet.

7. Proposed place of use. S $\frac{1}{2}$ Section 20, T23N, R54E, MDB&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. S $\frac{1}{2}$ Section 20, T23N, R54E, MDB&M.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from. January 1 to December 31 of each year.
Month and Day Month and Day

10. Use has been from. January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, pump, motor and sprinkler
State manner in which water is to be diverted, whether by dam or other works,
system
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$20,000
13. Estimated time required to construct works.....3 years
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Well under application No. 29557 has 5.4 cfs appropriated. We are requesting permission to change 2.7 cfs to a new point of diversion for Irrigation of the same land.

Compared lp/bl gk/ja Applicant Everett J. and Jean E. Phelps

Bys/ Alan S. Boyack

Alan S. Boyack

515 South Fifth Street

Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 29557 is issued subject to the terms and conditions imposed in said Permit 29557 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per seconds, but not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before December 16, 1980

Proof of commencement of work shall be filed before January 16, 1981

Work must be prosecuted with reasonable diligence and be completed on or before December 16, 1981

Proof of completion of work shall be filed before January 16, 1982

Application of water to beneficial use shall be made on or before December 16, 1982

Proof of the application of water to beneficial use shall be filed on or before January 16, 1983

Map in support of proof of beneficial use shall be filed on or before January 16, 1983

Commencement of work filed JAN 20 1981

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of JUNE

A.D. 19 80

William J. Newman

State Engineer